

Message Text

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TO SECSTATE WASHDC PRIORITY 1729

INFO AMCONSUL CHIANG MAI

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CINCPAC

C O N F I D E N T I A L BANGKOK 4735

CINCPAC FOR POLAD

E.O. 11652: GDS

TAGS: PGOV, PINT, TH

SUBJ: THE POLITICAL PARTIES BILL

REF: BANGKOK 3928

SUMMARY: THE POLITICAL PARTIES BILL WHICH THE NATIONAL LEGISLATIVE ASSEMBLY (NLA) WILL DEBATE 23 MARCH 1974 DOES NOT PROMISE TO BE THE BULWARKD AGAINST POLITICAL FACTION-ALISM ANTICIPATED EARLIER. CLAUSES REQUIRING THAT A PARTY COMPETE IN 25 PERCENT OF ALL ELECTORAL CONTESTS AND THAT A PARTY CANNOT SIT IN THE NLA UNLESS IT RECEIVED 10 PERCENT OF THE NATIONAL VOTE ARE NOT IN THE DRAFT BILL. THE POLITICAL PARTIES BILL OPENS THE GATES TO ANYONE WITH 1000 FOLLOWERS TO FORM A PARTY. THE PRESSURE IS OFF MANY SPLINTER GROUPS THAT WERE CONSIDERING AMALGAMATION AS THE ONLY ROUTE TO POLITICAL SURVIVAL. ALTHOUGH THE NLA COULD MAKE CHANGES BEFORE THE LAW IS PROMULGATED, WE WOULD EXPECT MOST NLA MEMBERS TO FAVOR THE CURRENT VERION. END SUMMARY.

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1. THE MINISTRY OF INTERIOR (MOI) IS RESPONSIBLE FOR

DRAFTING THE POLITICAL PARTIES BILL. MOI SUBMITTED THE DRAFT TO THE CABINET FEBRUARY 19. BEFORE MOI SUBMITTED THE BILL, CONVERSATIONS EMBASSY OFFICERS HAD WITH THE DRAFTERS, AS WELL AS NEWS LEAKS, INDICATED THAT THE BILL WOULD LIMIT THE NUMBER OF POLITICAL PARTIES. TWO KEY PROVISIONS REQUIRED A POLITICAL PARTY TO CONTEST 25 PERCENT OF THE TOTAL NUMBER OF SEATS IN THE LOWER HOUSE AND TO COLLECT AT LEAST 10 PERCENT OF THE TOTAL NATIONAL VOTE BEFORE ANY OF THE MEMBERS COULD BE SEATED. PHAISAN KUMANWISAI, SECRETARY TO THE PRIME MINISTER'S LEGAL ADVISORY COMMITTEE, SUGGESTED TO THE PRESS FEBRUARY 27, HOWEVER, THAT THESE KEY CLAUSES WERE DROPPED.

2. THE EMBASSY OBTAINED A COPY OF THE DRAFT POLITICAL PARTIES BILL MARCH 21. THE NATIONAL LEGISLATIVE ASSEMBLY IS SCHEDULED TO BEGIN TO DEBATE IT MARCH 23. IT DOES NOT CONTAIN THE TWO RESTRICTIVE CLAUSES. THE MAJOR CHANGES BETWEEN THE DRAFT BILL AND THE ACT UNDER WHICH THE 1968 ELECTIONS WERE HELD ARE: A LOWERING OF THE VOTING AGE TO 18 FROM 20 IN ACCORDANCE WITH A SIMILAR CHANGE IN THE DRAFT CONSTITUTION; AND AN INCREASE IN THE NUMBER OF REGISTERED FOLLOWERS TO 1000, INSTEAD OF 500. THE DRAFT BILL ALSO GIVES THE NATIONAL AUDIT COUNCIL POWER TO EXAMINE AND REVIEW THE FINANCIAL STATEMENTS THE PARTIES ARE REQUIRED TO SUBMIT ANNUALLY. THE NEW DRAFT POLITICAL PARTIES BILL SKIPS THE INTRODUCTORY CLAUSES ABOUT THE KING BEING HEAD OF STATE. THIS DRAFT ONLY REQUIRES THAT A PARTY HAVE 15 FOUNDING MEMBERS.

3. ACCORDING TO THE DRAFT BILL, POLITICAL PARTIES TERMINATE WHEN THERE IS A VIOLATION OF THE POLITICAL PARTIES BILL; THE NUMBER OF REGISTERED MEMBERS FALLS BELOW 1000; A COURT ORDERS THE DISSOLUTION OF A PARTY; THE PARTY FAILS TO SEND ANY REPRESENTATIVES TO PARLIAMENT IN TWO SUCCESSIVE ELECTIONS.

4. THE DRAFT ACT DESIGNATES MOI AS POLITICAL REGISTRAR. DEPUTY UNDERSECRETARY OF STATE, WINYU ANGKHANARAK, HAS STATED TO THE NEWSPAPERS AND IN NLA DEBATE, HOWEVER, THAT MOI WOULD PROPOSE A SPECIAL BODY UNDER THE NLA TO

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HANDLE REGISTRATION TO AVOID PUBLIC CRITICISM OF MOI FAVORITISM.

5. COMMENT: THE LACK OF EFFECTIVE RESTRAINTS TO POLITICAL FACTIONALISM DEMONSTRATED IN THE DRAFT POLITICAL PARTIES ACT MEANS THAT THAILAND COULD BE AFLOOD WITH PARTIES. DR. PUAI UNGPHAKON HAS CONSTANTLY REFUSED TO HEAD A POLITICAL PARTY, MENTIONING THAT

HE WOULD PREFER TO RUN AS AN INDEPENDENT. HE WILL HAVE HIS WISH UNDER THE DRAFT ACT AS LONG AS HE HAS 15 FOUNDING MEMBERS AND 1000 TOTAL SIGNATURES. THE PRESURE IS ALSO OFF THE NORTHEASTERN SPLINTER PARTIES TO COOPERATE.

6. NLA DEBATE ON THE DRAFT BILL, HOWEVER, WILL TAKE A FEW WEEKS. BUDDING POLITICIANS WILL WATCH THE EMERGING DEBATE TO DETERMINE WHETHER THAILAND WILL HAVE A RESTRICTIVE OR WIDE OPEN POLITICAL PARTY SYSTEM. CHANCES SEEM FAVORABLE TO THE LATTER.
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